

Senate File 174 - Introduced

SENATE FILE 174
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 30)

A BILL FOR

1 An Act relating to the carrying of weapons by certain
2 individuals involved with law enforcement.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 724.2A, Code 2021, is amended to read as
2 follows:

3 **724.2A Peace officer — defined — reserved peace officer**
4 **included.**

5 As used in [sections 724.4, 724.4B, 724.6, and 724.11](#), “*peace*
6 *officer*” includes a reserve peace officer as defined in section
7 80D.1A.

8 Sec. 2. Section 724.4B, subsection 2, paragraph a, Code
9 2021, is amended to read as follows:

10 a. A person listed under [section 724.4, subsection 4](#),
11 paragraphs ~~“b”~~ “c” through “f” or “j”.

12 Sec. 3. Section 724.4B, subsection 2, Code 2021, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. d. A peace officer including a peace officer
15 who has not been certified and a federal officer when the
16 officer’s employment requires going armed, whether or not the
17 peace officer or federal officer is acting in the performance
18 of official duties.

19 Sec. 4. Section 724.6, subsection 1, paragraph a, Code 2021,
20 is amended to read as follows:

21 a. (1) A person may be issued a permit to carry weapons
22 when the person’s employment in a private investigation
23 business or private security business licensed under chapter
24 80A, or a person’s employment as a peace officer, correctional
25 officer, security guard, bank messenger or other person
26 transporting property of a value requiring security, or in
27 police work, reasonably justifies that person going armed.

28 (2) A person may be issued a permit to carry weapons
29 if the person is an emergency medical care provider who is
30 designated and attached to a law enforcement tactical team by
31 the authorities having jurisdiction. A person issued a permit
32 to carry weapons under this paragraph shall train with the law
33 enforcement tactical team the person is designated and attached
34 to, complete a prescribed firearm safety training course
35 offered pursuant to section 724.9, subsection 1, paragraph

1 "e", complete any additional training as prescribed by the
 2 authorities having jurisdiction, and not be disqualified under
 3 section 724.8.

4 Sec. 5. Section 724.6, subsection 2, Code 2021, is amended
 5 to read as follows:

6 2. Notwithstanding [subsection 1](#), fire fighters, as defined
 7 in [section 411.1, subsection 10](#), airport fire fighters included
 8 under [section 97B.49B](#), and emergency medical care providers,
 9 ~~as defined in [section 147A.1](#)~~ other than emergency medical
 10 care providers specified in subsection 1, paragraph "a",
 11 subparagraph (2), shall not, as a condition of employment,
 12 be required to obtain a permit under [this section](#). However,
 13 the provisions of [this subsection](#) shall not apply to a person
 14 designated as an arson investigator by the chief fire officer
 15 of a political subdivision.

16 Sec. 6. Section 724.6, Code 2021, is amended by adding the
 17 following new subsection:

18 NEW SUBSECTION. 3. For purposes of this section, "*emergency*
 19 *medical care provider*" means the same as defined in section
 20 147A.1.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
 23 the explanation's substance by the members of the general assembly.

24 This bill relates to the carrying of weapons by certain
 25 individuals involved with law enforcement.

26 Current law prohibits a person from going armed with,
 27 carrying, or transporting a firearm of any kind, whether
 28 concealed or not, on the grounds of a school. The prohibition
 29 does not apply to certain persons under certain circumstances
 30 including a peace officer when the officer's duties require the
 31 person to carry the firearm or as otherwise provided by law.

32 The bill specifies that a peace officer or reserve peace
 33 officer including a peace officer or reserve peace officer
 34 who has not been certified, and a federal officer when the
 35 officer's employment requires going armed, may go armed with,

1 carry, or transport a firearm on school grounds, whether or not
2 the officer is acting in the performance of official duties.

3 A person who goes armed with, carries, or transports a
4 firearm on the grounds of a school in violation of Code section
5 724.4B commits a class "D" felony. A class "D" felony is
6 punishable by confinement for no more than five years and a
7 fine of at least \$1,025 but not more than \$10,245.

8 Current law restricts persons eligible to obtain a
9 professional permit to carry weapons to certain individuals
10 involved with investigation, security, valuable property
11 transportation, corrections, and other police work if the
12 individual's occupation reasonably justifies the individual
13 going armed. The bill allows an emergency medical care
14 provider to obtain a professional permit to carry weapons
15 if the emergency medical care provider is designated and
16 attached to a law enforcement tactical team by the authorities
17 having jurisdiction. Additionally, the emergency medical
18 care provider shall train with the tactical team, complete a
19 firearm safety training course that qualifies a peace officer
20 to carry a firearm in the normal course of the peace officer's
21 duties, complete any additional training as prescribed by
22 the authorities having jurisdiction, and not be disqualified
23 from obtaining a professional or nonprofessional permit to
24 carry weapons. Notwithstanding a general prohibition, the
25 bill allows an employer of an emergency medical care provider
26 to require an emergency medical care provider to obtain
27 a professional permit to carry weapons as a condition of
28 employment if the emergency medical care provider accompanies
29 police tactical teams consistent with the bill.

30 By operation of law, a professional permit to carry weapons
31 will authorize an emergency medical care provider to go armed
32 anywhere in the state only while engaged in employment and
33 while going to and from the place of employment. An emergency
34 medical care provider shall submit an application and undergo
35 a criminal history background check prior to receiving a

1 professional permit to carry weapons. A professional permit
2 to carry weapons issued to an emergency medical care provider
3 shall expire 12 months after the date of issue.